GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – MA&UD Department – Case under the P.C Act.,1988 against K.Jayabharatha Reddy, Dy. Executive Engineer, Public Health & three (3) others, Tadipatri Municipality – Prosecution sanctioned against the Accused Officers – Accused Officer Sri R.Shabbir, Work Inspector (AO.3) expired- Further action abated – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.III.1) DEPARTMENT

G.O.RT.No. 37 **Dated: 10-01-2018**

Readthe following:-

1. From the D.G., A.C.B., AP., Hyd Lr.No.165/RCO-ATP/2011, dt.17.04.2013.
2. Govt. Memo No.9382/Vig.IV(1)/2013, dt.03.03.2014
3. Govt. Memo No.9382/Vig.I(1)/2013, dt.18.04.2015.
4. G.O.Rt.No.53 MA&UD(VIG.I) Dept. dated 17.03.2015
5. From the D.G., A.C.B., AP. Vijayawada, Lr. No.165/RCO-ATP/2011-S14, dt.31.08.2017 together with a copy of judgment dt.12.08.2017 delivered by Hon'ble Special Judge for trail of SPE& ACB cases, Kurnool, in C.C.Nos.38 of 2015 and 4 of 2015.

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ORDER:-

Whereas, in the reference 1st cited, the Director General, ACB., AP., Hyderabad has submitted a final report requesting sanction of prosecution orders against the charged officers i.e., Sri Kandula Jayabharatha Reddy, Dy.Executive Engineer & Municipal Commissioner(FAC), Sri P. Raja Gopal, Jr. Asst., (AO-2) Sri R. Shabbir, Work Inspector, i/c. TPBO (AO-3) and Sri G.Rachaiah, Asst. Engineer (Electrical), o/o the Municipal Commissioner Tadipatri Municipality of Anantapur District for misusing their official position in allotting the house sites in Tadipatri Municipality in a court of law u/s 13 (2) r/w 13(1) (c) & (d) and 15 of P.C. Act.

2. Whereas, in the references 2nd and 3rd read above, the Director of Municipal Administration, A.P., Guntur has been directed to accord sanction of prosecution against accused officers i.e, Sri P.Raja Gopal, Jr. Assistant, Sri R.Shabbir, Work Inspector & TPBO I/c) and Sri Rachaiah, Asst. Engineer & (Electrical), O/o Municipal Commissioner, Tadipatri in a court of law under section 13 (2) r/w 13(1) (c) & (d) and 15 of P.C. Act, 1988. In the reference 4th read above, Government have sanctioned prosecution orders against Sri Kandula Jayabharatha Reddy, Deputy Executive Engineer, & Municipal Commissioner (FAC), O/o Municipal Commissioner, Tadipatri Municipality, Anantapur District under section 13 (2) r/w 13(1) (c) & (d) and 15 of P.C. Act, 1988.

3. Whereas, in the reference 5th read above, the Director General, ACB, AP., Vijayawada has informed that the charge sheets were filed against the

(P.T.O)

Accused Officers, viz., 1) Sri Kandula Jayabharatha Reddy, Dy. Executive Engineer (AO.1), Sri P.Rajagopal, Jr.Assistant (AO.2), Sri R.Shabbir, Work Inspector(AO.3) & I/c TPBO and Sri Gagula Rachaiah, Asst. Engineer (Electrical) (AO.4) of Tadipatri Municipality, Anantapur District The Hon'ble Special Judge for Trial of SPE & ACB Cases, Kurnool, was pleased to take the same on file and allot CC No.38 of 2015 in respect of AOs 1 & 4, C.C.No.8 of 2016 in respect of AO.3 and CC No.4 of 2016 in respect of AO.2. While the case was under trial, A.O.3 Sri R.Shabbir, Work Inspector & I/c TPBO died and the case was abated against him. Consequently, after closure of the trial, the Special Judge of Trial of SPE & ABC Cases, Kurnool pronounced common judgment on 12.06.2017 in C.CNo.38 of 2015 and 4 of 2016 finding the Accused Officers 1, 2 & 4 not guilty of the charges framed against them and acquitted. The Bureau is of the opinion that there are no grounds to prefer an appeal against the said common acquittal judgment in the Hon'ble High Court.The Director General, ACB, Vijayawada has requested the Government to communicate orders on the said acquittal judgment of the trial court at an early date.

4. Government after careful examination of the matter hereby abate further action against late Sri R.Shabbir, Work Inspector & i/c TPBO of Tadipatri Municipality, Anantapur District who expired, subject to recovery of amount caused loss to Government/Urban Local Body, in any other disciplinary case, in terms of Rule 9(7) of A.P.R.P.Rules, 1980.

5. The Director of Municipal Administration, AP, Gorantla, Guntur shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.KARIKAL VALAVEN
PRINCIPAL SECRETARTY TO GOVERNMENT

To
The concerned **through** Director of Municipal Administration, AP, Guntur.
The Director of Municipal Administration, AP, Guntur.
The Commissioner, Tadipatri Municipality, Anantapur District.

Copy to:

The Secretary to APVC., A.P.Secretariat, Velagapudi.
The Director General, ACB, Vijayawada,
The OSD to Hon'ble M(MA&UD),
The PS to Prl.Secretary to Government.
Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER